

1 SCAN

2 cc: USM

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

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11 United States of) No. CR 99-1274(A)
12 America,)
13) ORDER GRANTING
14 Plaintiff,) PETITIONER'S MOTION FOR
15 v.) REDUCTION OF SENTENCE
16) PURSUANT TO 18 U.S.C. §
17) 3582(c)
18)
19)
20)
21)
22)

23 On March 20, 2008, Petitioner filed a Motion for
24 Reduction of Sentence Based on 18 U.S.C. § 3582(c) and
25 U.S.S.G. 1B1.10(c). The Government filed its Response
26 on May 9, 2008. The Court hereby takes the matter under
27 submission **AND RULES AS FOLLOWS:**

1 When combined, 18 U.S.C. § 3582(c) and U.S.S.G.
2 1B1.10(c) grants this Court authority to reduce
3 Petitioner's sentence. The Sentencing Commission
4 generally reduced, by two levels, the offense levels
5 applicable to crack cocaine offenses.

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7 On February 20, 2002, Petitioner pled guilty to
8 Count Three of the First Superseding Indictment filed in
9 this case, which charged Petitioner with conspiring to
10 aid and abet in the distribution of controlled
11 substances, specifically cocaine base or crack cocaine,
12 in violation of 21 U.S.C. § 846. For this offense,
13 Petitioner was sentence to 131 months, which accounted
14 for 30 months credit for time served in state custody.
15 At the time of the sentencing, the Guidelines supported
16 a 151 to 180 month sentence for Petitioner's offence.
17 Currently, the Guidelines recommend a sentencing range
18 of 121 to 151 month.

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20 The Court considered the original sentencing
21 recommendation, the 18 U.S.C. § 3553(a) factors, as well
22 as the government's support of a reduction in
23 Petitioner's sentence to 120 months. The Court also
24 considered Petitioner's good behavior while in custody.

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1 Based on the above considerations, the Court
2 determines that it is appropriate to reduce Petitioner's
3 sentence to 120 months, to be followed by a five year
4 period of supervised release.

IT IS SO ORDERED.

Ronald Swanson

HONORABLE RONALD S.W. LEW
Senior, U.S. District Court Judge

DATE: May 27, 2008